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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/813,215	03/21/2001	Goh Itoh	204984US2TTC	1977
22850	7590	07/30/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			BILGRAMI, ASGHAR H	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 07/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/813,215	ITOH, GOH	
	Examiner	Art Unit	
	Asghar Bilgrami	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-4, 6, 8 & 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Curry et al (U.S. 6,078,582) and Krishnaswamy et al (U.S. 5,867,494).

2. As per claims 1, 2, 3, 4 & 9 Curry disclosed a method for providing a network environment as requested from a plurality of clients, comprising: receiving a request to provide said network environment from one of said clients (col.5, lines 11-27), setting an individual network for each of said clients requesting to provide a closed network in response to the received request and informing to said client of use permission with a predetermined discriminator and an access priority (col.5, lines 28-32, col.12, lines 16-19).

However Curry did not disclose in detail about managing a use time of said closed network. In the same field of endeavor Krishnaswamy discloses managing a use time of said closed network (col.20, lines 35-39, col.272, lines 46-63 & col.273 & col. 274, lines 13-24).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the mechanism of managing/monitoring the use of time on the network by the user so as to provide accurate usage report to the user in the form of a billing statement.

3. As per claim 6 Curry-Krishnaswamy disclosed a server for providing a network environment with a plurality of clients according to Claim 4, wherein said access priority is decided from an Internet protocol address of said client (Curry, col.6, lines 18-27).

4. As per claim 8 Curry-Krishnaswamy disclosed a server for providing a network environment with a plurality of clients, according to Claim 4, wherein said server further has a service giving means for billing said client according to a use time designated by said client and an extended time used by said client (Krishnaswamy, col.20, lines 35-39, col.272, lines 46-63 & col.273 & col. 274, lines 13-24).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 5 & 7 are rejected under 35 U.S.C. 102(e) as being unpatentable over Krishnaswamy (U.S. 5,867,494).

As per claim 5 Krishnaswamy disclosed a client device used in a system for providing a network environment with other client devices and a server, the client device comprising: communication device configured to communicate with said server, a communication setting manager configured to prepare for communication passes with said server (col.68, lines 52-57), a receiver configured to receive a message transmitted from said server, a store configured to store said message, a converter configured to convert said message into a display data format and convert input data to a message, and a terminal job manager configured to manage said communication data conversion (col.68, lines 58-66).

6. As per claim 7 Krishnaswamy disclosed a client device used in a system for providing a network environment with other client devices and a server according to Claim 5, wherein said converter has a main program operating regardless of a software environment used by said client and a plurality of subprograms operating according to said software environment used by said client, the system starts said subprograms according to said kind of said data in said message, and converts said display file (col.68, lines 31-48).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schmidt U.S. Patent No 5,991,807 discloses system for controlling users access to a distributive network in accordance with constraints present in common access distributive interface separate from a server.

Yung U.S. Patent No 4,961,224 discloses controlling access to network resources.

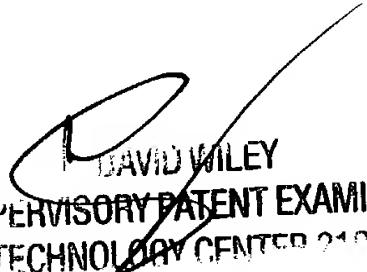
Bigham U.S. Patent No 5,740,075 discloses access subnetwork controller for video dial tone networks.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asghar Bilgrami whose telephone number is 703-305-4623. The examiner can normally be reached on M-F, 8:00-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Asghar Bilgrami
Examiner
Art Unit 2143


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100